

PATENT

Application Serial No. 10/791,029  
Attorney Docket No.: 03-013



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al.

Serial No.: 10/791,029

Filing Date: March 2, 2004

For: METHOD AND APPARATUS FOR  
ALTERNATE DISPLAY  
INFORMATION

) Examiner: Not Yet Assigned  
)  
) Group Art Unit: 3713  
)  
) Attorney Docket No: 03-013  
)  
) Customer No.: 22927  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Priority mail in an envelope with sufficient postage and addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 05/27/04 By:

Michael D. Brinton

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. 1.47(a)  
TO REQUEST ACCEPTANCE OF NATIONAL APPLICATION  
WITHOUT PARTICIPATION OF ONE OR MORE INVENTORS**

Sir:

Applicants request acceptance of the present application without participation of one or more inventors, which inventor(s) have refused to join in the application after diligent effort.

Relevant facts and proof

Applicants filed the present patent application on March 2, 2004. No Oath or Declaration was filed with the application on March 2, 2004.

06/02/2004 CCHAU1 00000030 500271 10791029

01 FC:1460 130.00 DA

Victor M. Garcia, an inventor on the present application, is no longer employed by Walker Digital. His last known address was: 315 Willow Street, New Haven, CT 06511.

On March 23, 2004, Applicants prepared and sent via certified, return receipt mail to Victor M. Garcia at what was then his last known address: 315 Willow Street, New Haven, CT 06511, a package containing the following documents: 1) Cover letter 2) Copy of Application with Formal Drawings; 3) Combined Declaration and Power of Attorney; 4) Assignment; and 5) Self addressed stamped envelope for return to Applicants. The cover letter included instructions to sign certain documents and return the same to Applicants. The cover letters also included a contact telephone number, should he require assistance. The cover letter further stated that should Applicants not hear from Victor M. Garcia by April 23, 2004, Applicants would construe his conduct as a refusal to sign and proceed with filing the Declaration and Assignment attesting that Victor M. Garcia refused to sign these papers. Victor M. Garcia did not return any of these documents to Applicants, nor did he contact Applicants in any way. (*Please see "EXHIBIT A" and AFFIDAVIT OF MICHAEL D. BRINTON*)

On April 26, 2004, Applicants called and left a detailed telephone message for Victor M. Garcia at his last known home telephone number of (203) 624-3536. Applicants requested that Victor call Applicants to follow up regarding the status of his signature on the Declaration and Assignment mailed to his home on March 23, 2004. Applicants provided their telephone number in this message. Victor M. Garcia did not return Applicants' call. (*Please see AFFIDAVIT OF MICHAEL D. BRINTON*)

On May 3, 2004, Applicants called Victor M. Garcia at his last known home telephone number of (203) 624-3536. Victor M. Garcia answered the telephone. Applicants inquired about the status of Victor's signature on the documents mailed to his home on March 23, 2004. Victor M. Garcia confirmed receipt of the documents mailed to his home on March 23, 2004, but verbally refused to sign the documents. Additionally, he indicated that he is unwilling to cooperate in signing any documents pertaining to Walker Digital in the future. (*Please see AFFIDAVIT OF MICHAEL D. BRINTON*)

Last known address(es) of the non-signing inventor(s)

The latest address of Victor M. Garcia is:

315 Willow Street  
New Haven, CT 06511

Oath or Declaration

Applicants have filed an oath or declaration signed by all the available joint inventors with the signature block of the non-signing inventor(s) left blank.

Petition Fee

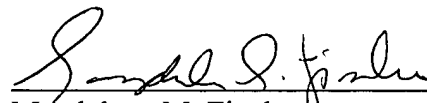
Please charge **\$130.00** for this petition to our Deposit Account No. 50-0271. Please charge any additional fees that may be required for this Petition, or credit any overpayment to Deposit Account No. 50-0271.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

If the Examiner has any questions regarding this petition or the present application, the Examiner is cordially requested to contact Magdalena M. Fincham at telephone number (203) 461-7041 or via electronic mail at [Mfincham@walkerdigital.com](mailto:Mfincham@walkerdigital.com), and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,

May 27, 2004  
Date



Magdalena M. Fincham  
Attorney for Applicants  
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(203) 461-7041/voice  
(203) 461-7300/fax



March 23, 2004



**EXHIBIT A**

Application Serial No.: 10/791,029  
Attorney Docket No.: 03-013

Mr. Victor M. Garcia  
315 Willow Street  
New Haven, CT 06511

**COPY**

**Re: Jay S. WALKER et al.**

**Titled: " METHODS AND APPARATUS FOR REPRESENTING PLAY IN A  
REVERSED MODE"**

**Walker Digital Case No.: 03-010**

**Jay S. WALKER et al.**

**Titled: " METHOD AND APPARATUS FOR SETTING GAME PARAMETERS"**

**Walker Digital Case No.: 03-011**

**Jay S. WALKER et al.**

**Titled: " METHOD AND APPARATUS FOR ALTERNATE DISPLAY  
INFORMATION"**

**Walker Digital Case No.: 03-013**

**Jay S. WALKER et al.**

**Titled: " METHOD AND APPARATUS FOR PROVIDING REGULAR ENTRANCE  
INTO A BONUS GAME"**

**Walker Digital Case No.: 03-026**

**Jay S. WALKER et al.**

**Titled: " METHOD AND SYSTEM FOR VIDEO POKER"**

**Walker Digital Case No.: 03-041**

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Dear Max:

Enclosed please find a Declaration and Power of Attorney, Assignment of Rights, Title and Interest in Invention, and Application with drawings for each of the above-referenced cases.

Kindly sign and date, in blue ink, the Declarations and Powers of Attorney and the Assignments where indicated with the post-it flags. Please remember that *your signature on the Assignments must be notarized*. Please note that the Applications are for your reference only and are not to be returned to Walker Digital. Upon execution, please return the signed documents in the self-addressed envelope provided for your convenience.

Walker Digital Management, LLC

203/461.7000 main  
203/461.7203 fax

[www.walkerdigital.com](http://www.walkerdigital.com)

Five High Ridge Park  
Stamford, CT 06905

Victor M. Garcia  
March 23, 2004  
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Should we not hear from you by April 23<sup>rd</sup> 2004, Applicants will construe your conduct as a refusal to sign, and file the Declarations and Assignments with an Affidavit attesting that you refuse to sign these papers.

Should you have a need for assistance, please call me at (203) 461-7246. Thank you for your cooperation.

All the best,

A handwritten signature in black ink, appearing to read "Michael Brinton". The signature is fluid and cursive, with the first name "Michael" and last name "Brinton" clearly distinguishable.

Michael D. Brinton  
Patent Paralegal  
mbrinton@walkerdigital.com

Enclosures